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LAFCO

LOCAL AGENCY FORMATION
COMMISSION

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LOCAL AGENCY FORMATION COMMISSION

This pamphlet is intended to give the reader a preliminary introduction to the Local Agency Formation Commission (LAFCO). As such, much of the following is a summary of California law and should not be considered as the exact wording of the applicable statutes.

The Local Agency Formation Commission is a state regulatory body, operating at the local level, responsible for the discouragement of urban sprawl and the encouragement of the orderly formation and development of local governmental agencies based upon local conditions. There is a LAFCO in each county in California except San Francisco. LAFCOs were formed, by State legislation, in 1963 (Government Code Section 54780).

A commission may consist of five or seven members. Most commissions are five member commissions and are comprised of two members of city councils (chosen by the mayors of the cities in that county), two members of the county board of supervisors (chosen by a majority of the board), and a fifth member, representing the general public, selected by the other four members. Any LAFCO may allow independent special district representation on the commission, thereby expanding it to seven members.

POWERS & DUTIES OF LAFCO

The two acts empowering LAFCO are the Knox-Nisbet Act (Government Code Section 54773) and the District Reorganization Act of 1965 (Government Code Section 56000).

In meeting its responsibility, LAFCO is required "to review and approve or disapprove, with or without amendments, wholly, partially, or conditionally, proposals for":

Cities

- the incorporation of cities;
- the exclusion of territory from a city;
- the disincorporation of a city;
- the consolidation of two or more cities;
- the development of new communities within the jurisdiction of the commission pursuant to Section 33021 and 33298 of the Health & Safety Code;

Districts (Not Including School Districts)

- the formation of special districts;
- detachments;
- dissolutions;
- mergers;
- reorganizations;
- consolidations;

And

- the annexation of territory to local agencies (cities and special districts) provided that the commission shall not impose any conditions which would directly regulate land use or subdivision requirements in the case of cities.

FACTORS LAFCO MUST CONSIDER
IN REVIEWING PROPOSALS

Factors to be considered in the review of a proposal shall include but not be limited to:

- Population, population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.
- Need for organized community services; the present cost and adequacy of governmental ser-

- vices and controls in the area; probable future needs for such services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.
- The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests and on the local governmental structure of the county.
- The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.
- Conformity with appropriate city or county general and specific plans.
- The "sphere of influence" of any local agency which may be applicable to the proposal being reviewed.

SPHERES OF INFLUENCE

A "sphere of influence" is a legally mandated plan for the probable ultimate physical boundaries and service area of a local governmental agency, as determined by LAFCO. The commission must also periodically review and update each plan. Factors the commission must consider in determining the sphere of influence of each governmental agency are:

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- The maximum possible service area of the agency based upon present and possible service capabilities of the agency.
- The range of services the agency is providing or could provide.
- The projected future population growth of the area.
- The type of development occurring or planned for the area, including, but not limited to, residential, commercial, and industrial development.
- The present and probable future service needs of the area.
- Local governmental agencies presently providing services to such area and the present level, range and adequacy of services provided by such existing local governmental agencies.
- The existence of social and economic interdependence and interaction between the area within the boundaries of a local governmental agency and the area which surrounds it and which could be considered within the agency's sphere of influence.

ADDITIONAL RESPONSIBILITIES OF LAFCO

In addition to its other powers, LAFCO shall initiate and make studies of existing governmental agencies. Such studies shall include but not be limited to inventorying such agencies and determining their maximum service area and service capabilities.

LAFCO also has the responsibility of considering city protests to the county's execution of the Land Conservation Contracts which are within one mile of a city's boundaries. If the city's protest is upheld, the city then has the option of not succeeding to the contract upon annexation of the land to the city.

LAFCO STAFFING

Depending on the desire and need of each commission, the size of a LAFCO staff may vary considerably; the county administrative office may provide staff for the commission while other LAFCOS may have a staff independent of the county's administrative office or the county. Each LAFCO is legally required to be financed by its county board of supervisors. Usually, the county counsel provides the commission with legal advice.

Each commission has an executive officer who may seek assistance in preparing the analyses of proposals by other county departments, e.g. the county assessor's office, elections, county planning, county health, the county public works departments and/or cities and special districts.

THE STATEWIDE LAFCO ORGANIZATION

The voluntary California Association of Local Agency Formation Commissions (CALAFCO) is comprised of a majority of the LAFCOS in the state and has been formed to foster communication among the various LAFCOS in the state, plans for an annual conference of LAFCO commissions and staff, and is responsible for the review of legislation affecting LAFCOS.

IN CONTRA COSTA COUNTY

In Contra Costa County, LAFCO is a five-member body with each member serving four year staggered terms. It regularly meets the first Wednesday of each month at 2:00 P.M. in the Chambers of the Board of Supervisors. Additional special meetings are held as the workload dictates.

Citizens may contact the Commission Executive Officer for further information by calling 228-3000, extension 2221.